

PLANNING COMMISSION
Minutes of April 19, 2004, Meeting

Members Present: Linda Snider, Joseph Dixon, Tom Dantzler, Rick Lucas

Staff Present: Steve Butler, Planning Director; Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; Holly Anderson, Senior Planner; Brian Galloway, Associate Planner

1. Call to Order:

The meeting was called to order at 6:00 p.m.

2. Approve Minutes of March 22, 2004, Meeting:

A motion was made, seconded, and unanimously passed to accept the minutes of the March 22, 2004, Planning Commission meeting as presented.

A motion was made, seconded, and unanimously passed to approve the minutes of the March 30, 2004, Joint City Council/Planning Commission meeting as presented.

The Commission Chair expressed regret that the wireless telecommunication facilities workshop was allowed to continue fifteen minutes past the allotted time. It was assumed that the Joint City Council/Planning Commission meeting would, in turn, extend fifteen minutes to accommodate a full hour meeting, but unfortunately, that did not happen. It was agreed that a letter from the Planning Commission would be presented to the City Council requesting a second meeting to address two very important agenda items that were not discussed e.g., discussion about application of City development regulations (for example, landscaping and parking standards) for a "change of use" of an existing business, and discussion about new "park 'n fly" parking lots in the City Center. The letter will include a request that no action relative to these issues be taken by the City Council until after that meeting.

3. Public Hearing:

A. Public Hearing on Minor Amendments (Set #1) to the Zoning Code

The Chair opened the public hearing at 6:13 p.m.

Jack Dodge outlined the minor amendments to the Zoning Code as follows:

Agricultural Crop Sales

- 15.12.060 Land Use Chart - Retail/Commercial Uses

Currently a permitted use in the Urban Low Density and Community Business zones. Would also be a permitted use in the Neighborhood Business, Aviation Business Center, and Industrial zones.

The following footnote number twelve has been added as a permit condition in the Urban Low Density Zone: (12) No permanent retail sales structures permitted. Retail sales allowed on a seasonal basis. A Temporary Use Permit required pursuant to 15.20.040 if any product shipped in from off-site. Wholesale sales permitted year round only for products produced/grown on site.

- 15.14.060 Landscaping Standards for Agricultural Crop Sales

In addition to the currently required 5' of Type III landscaping required on the street frontage, 5' of Type II landscaping would be required for side/rear yards, 10' of Type II landscaping required for side/rear buffer for non-compatible uses, and parking lot landscape standards would be applicable.

- 15.10.038 New Definition - Agricultural Crop Sales

The sale of agricultural products, produced on or off the site, which include fruits, vegetables, grains, seed, feed, flowers, ornamental and food bearing plants and trees, as well as animal products.

Produce Stands

- 15.12.060 Land Use Chart - Retail/Commercial Uses

Would be a permitted use in the Neighborhood Business, Community Business, Aviation Business Center, Industrial zones and a conditional use in the Office/Commercial Medium and Business Park zones.

- 15.14.060 Landscaping Standards for Produce Stands

5' of Type IV landscaping would be required on the street frontage, 5' of Type IV landscaping required for side/rear yard.

- 15.15.030 Parking Space Requirements for Produce Stands

1 per 250 square feet of gross floor area, plus one per employee

- 15.10.490 New Definition - Produce Stands

A permanent structure up to 500 square feet in area used for the retail sale of fresh fruits and vegetables and may include as an incidental or accessory use, the sale of sealed or prepackaged food products or non-food items. No more than twenty-five

percent (25%) of the gross floor area of the produce stand shall be used for the sale of incidental or accessory uses.

Auto Repair

- 15.12.060 Land Use Chart - Retail/Commercial Uses

Would be a conditional use in the Neighborhood Business zone, and a permitted use in the Community Business and Industrial zones.

- 15.14.060 Landscaping Standards for Auto Repair

10' of Type II landscaping would be required on the street frontage, 5' of Type IV landscaping required if the building façade is 30' high or 50' wide, 5' of Type II landscaping required in side/rear yards, 20' of Type I landscaping required for side/rear buffer for non-compatible uses, parking lot landscape standards would be applicable.

- 15.15.030 Parking Space Requirements for Auto Repair

Two spaces per service bay

- 15.10.067 New Definition - Auto Repair

Automobile repair includes fixing, incidental body or fender work, painting, upholstering, engine tune-up, major engine or transmission repair, adjusting lights or brakes, brake repair, other similar repair work, and supplying and installing replacement parts of or for passenger vehicles and light trucks.

Automotive Service Center

- 15.12.060 Land Use Chart - Retail/Commercial Uses

Would be a permitted use in the Neighborhood Business, Community Business, Aviation Business Center, and Industrial zones. The following footnote number thirteen will be a permitting condition in the Aviation Business Center zone: (13) Accessory to primary use not to exceed twenty percent (20%) of primary square footage.

- 15.14.060 Landscaping Standards for Automotive Service Center

10' of Type II landscaping would be required on the street frontage, 5' of Type IV landscaping required if the building façade is 30' high or 50' wide, 5' of Type II landscaping required in side/rear yards, 20' of Type I landscaping required for

side/rear buffer for non-compatible uses, parking lot landscaping standards would be applicable.

- 15.15.030 Parking Space Requirements for Automotive Service Center

Four spaces, plus six stacking spaces

Setbacks - Projections Allowed (15.15.080C)

Uncovered porches and decks not exceeding eighteen inches above the finished grade may project 10' into the front yard setback.

Off-Street Parking Plan Design Standards (15.15.100C & F)

"Parking Space Dimensions" Table is revised so that the dimensional standards under "C" are changed to 18'. Figure 15.15.100e is revised regarding the method to measure the dimensional standards under "Parking Space Dimensions" Table.

Off-Street Parking Construction Standards (15.15.110 Revised)

Off-street parking areas and all lots used for the storage of automobile, trucks, truck trailers, shipping containers, recreational vehicles, construction equipment, farm equipment, and all related equipment and/or appurtenances to such equipment, shall be paved with an all-weather surface (concrete or asphalt) unless otherwise approved by the Public Works Department.

Temporary Uses (15.20.020)

Added to the current regulations governing temporary uses, is language stating, "Temporary outdoor food events related to, and on the same site, as a restaurant."

Zone Reclassification (15.22.050A)

The purpose of a rezone is to provide a change of zoning to allow a new or different land use which conforms with the City Comprehensive Plan. A rezone is necessary when there has been a change in conditions, and the Comprehensive Plan may or may not provide for such a use. A proposed use and site plan must be submitted with the rezone request if there is an upzone of the property (e.g., UL 7,200 to UM 3,600). Property specific conditions may be imposed as a condition to the rezone pursuant to SMC 15.05.055 and 15.05.080. In the case of a rezone classification from a more intensive zone to a less intensive zone (e.g., industrial to commercial), only a description of the proposed use must be submitted with the rezone request. The proposed use may be the existing use on the property, provided the use is a permitted use in the lesser zone classification.

Gasoline/.Service Station (15.10.282) New Definition

A building or lot having pumps and storage tanks where fuels, oils, or accessories for motor vehicles are dispensed, sold or offered for sale at retail only, auto repair service is incidental and no storage or parking space is offered for rent.

Discussion was held about double striping (U markings); code language and graphics will be developed to clarify. All references to compact markings or spaces will be deleted as it no longer applies.

In answer to a question about the use of non-paved parking areas, Jack Dodge explained that before the City incorporated, King County regulations allowed a parking area that was used less than five days a week or less than one month out of the year to be gravel. Any lots established under King County regulations would be grandfathered and allowed to remain gravel provided the lot was used less than five days a week or less than one month out of the year. Public Works staff is in the process of reviewing gravel parking lots within the City to ensure compliance with current codes relative to paving and storm drainage.

Hearing no requests to speak, the Chair closed the public hearing at 6:37 p.m.

A motion was made, seconded, and unanimously passed to recommend approval of the minor code amendments with parking stall striping clarifications.

4. Old Business:

A. Overview of Potential 2004 Comprehensive Plan Amendments and the Comprehensive Plan Update Assessment Report

Mike Scarey stated that elements of the Comprehensive Plan not updated within the last two years will be addressed in 2004, including Community Image, Utilities, Economic Vitality, and Human Services. Tonight's discussion will focus on potential amendments resulting from input received at the February community meetings. Additional updates to the Land Use, Housing & Neighborhoods, Transportation, Capital Facilities, and Parks, Recreation & Open Space elements will be presented as they are drafted.

The following issues were discussed:

Create mixed use areas throughout the City. This would require a map amendment to identify and designate additional neighborhood-scale low density commercial areas in various appropriate locations within the City (Neighborhood Business, Office/Commercial Medium, Office/Commercial/Mixed Use).

Discussion was held about Office/Commercial/Mixed Use zoning within the City Center, and that developers have indicated the density allowed would make development financially unfeasible; whether or not there is a market to support the neighborhood type businesses that citizens are envisioning, and the City offering incentives to encourage such development; developing placeholder language regarding revisions to the Office/Commercial/Mixed Use designation to provide more flexibility, possibly de-emphasize mixed use requirements due to flat market conditions during the last five years, and giving the City authority to identify areas of the City where neighborhood-type businesses would be appropriate; and regulations being developed to ensure compatibility between commercial and adjacent residential uses.

It was determined that staff would develop placeholder language to be included on the preliminary docket to reassess the Office/Commercial/Mixed Use designation.

Ray Overholt, 4448 S 175 St: Mr. Overholt's understanding is if the City Center doesn't go through, the multiuse, as it was planned, may not work. The City shouldn't abandon the multiuse family oriented business idea if the City Center concept is still alive. The concept was to bring in ground floor businesses, with condominiums or apartments above, to serve current and new residents. The City needs to carefully consider when and if the City Center is going to happen, and remain very aware that businesses would be adjacent to single family neighborhoods. Mr. Overholt was in favor of the City Center concept.

No more commercial parking lots should be allowed. City Center regulations allow surface parking as an interim use, requiring a long term plan for permanent development. The Comprehensive Plan does address commercial parking within the City Center; however, once the interim use is approved, getting the permanent development accomplished can prove problematic. Therefore, a solution would be to change the City Center Standards to prohibit commercial parking as an interim use, and apply the City Center Standards relative to commercial parking throughout the City.

Discussion was held about enforcement of development agreements; revisiting the issue of interim parking and whether or not it should be prohibited entirely; and how best to address citizen concerns relative to installation of curb, gutter and sidewalks in neighborhoods. Also discussed was widening certain portions of Military Road, installation of left turn lanes, safety concerns regarding shoulder walkways, and how best to slow traffic and maintain the residential character.

More affordable housing. Mike Scarey stated that the City currently has a higher proportion of affordable housing than many cities in the region, and the Comprehensive Plan contains adequate policies to promote affordable housing. However, in response to the comment, staff will attempt to identify more opportunities to provide affordable housing.

Rezone the Hughes property at Angle Lake for parks use. Staff is not recommending a Comprehensive Plan change because the City Council has indicated they wish to keep the City's options open regarding that property. It is anticipated that a public amendment proposal may be forthcoming before April 30.

B. Continued Discussion about Wireless Telecommunications Facility (WTF) Consultant's Work

The Planning Commission expressed their thanks for the time they were able to spend with Cityscape asking technical questions and clarifying issues.

Holly Anderson stated that the pros and cons of two major options along with a recommended option for the Wireless Telecommunication Facilities Ordinance would be presented to the City Council at their May 11 Study Session. A public hearing will be scheduled before the Planning Commission in the near future.

The issue of requiring that equipment shelters be underground remains unresolved, there are several options to be considered. Holly Anderson made a power point presentation showing various examples from WTF sites on Mercer Island.

One example was of an underground vault adjacent to a ball field that services a 100' pole. To prepare for a 7' wide by 17' long by 16' deep vault, an area 48' long by 17' wide had to be excavated. Visible are access to the vault (approximately 3' x 3'), two air intake areas, above ground electric meters, and the cover over cables leading from the equipment into the pole. A planner from Mercer Island noted that requiring undergrounding sometimes results in the removal of valuable mature vegetation.

The second example was a wood pole containing two sets of antennas serving two carriers. One carrier's equipment is underground, with the equipment serving the second carrier above ground.

Discussion was held about all collocated providers being held to the same requirements regarding equipment shelters; opaque fencing being required around above ground shelters; clear language being developed requiring providers to maintain shelter areas to an appearance of newness; requiring appropriate screening based on the zoning e.g., facilities located in residential versus commercial areas; allowing 7' high fences in residential areas (current regulations allow 6' high maximum); allowing a solid wood fence, masonry wall, landscaping, or some combination; the importance of maintaining high quality concealment throughout the City (as close to 100% concealment as possible); and that no barbed wire be allowed.

Commissioner Dixon distributed a matrix identifying the City-owned sites discussed by Cityscape as potential locations and noted that these would very nearly produce the needed supplemental coverage in all but one case. However, to site on most of these City locations would require freestanding facilities rather than facilities attached to

buildings. He stated that giving freestanding facilities a higher priority might make sense for siting on City-owned properties.

The Commissioners agreed that requiring all equipment shelters to be underground may prove problematic, and that the private sector would not be negatively impacted by locating wireless telecommunication facilities on City-owned properties whenever possible (may require re-prioritization of facility types). The revenue generated would greatly benefit the community, and the need for code enforcement would be minimized.

5. New Business:

A. Presentation on School District Property Disposition by Alan Schmidt, Director of Facilities and Planning, Highline School District

Al Schmidt was unable to attend due to illness. The presentation will be rescheduled for May 3.

B. Initial Review of Minor Amendments (Set #2) to the Zoning Code

Jack Dodge reviewed Set #2 of Minor Zoning Code Amendments as follows:

Sports Club

- 15.12.030 Recreational/Cultural Uses

Would be allowed as a conditional use in the Urban Low Density zones with a new footnote number four that states, (4) "Applies only to the Glacier High School site". Would also be allowed as a conditional use in the Neighborhood Business zone. Would be a permitted use in the Community Business, Aviation Business Center, and Industrial zones.

The definition of sports club is "a profit or nonprofit club providing the following activities which would be instruction of basketball, softball, baseball, cheerleading fundamentals, martial arts or other similar activities, weight lifting, drop in pick up games sport activities, and tournaments competitions related to the instructional activities."

- 15.14.060 Landscaping Standards for Sports Club

10' of Type IV landscaping required on street frontage, 5' of Type IV landscaping required if building façade is 30' high or 50' wide, 5' of Type III landscaping is required in side/rear yards, 10' of Type I landscaping required in side/rear buffer for non-compatible uses, parking lot landscape standards would apply.

- 15.15.030 Parking Space Requirements for Sports Club

1 per 100 square feet of building plus 1 per 4 fixed seats if tournaments or competitions are held at the sports club.

Jack Dodge indicated that the Highline School District leased the gym at Glacier High School to a former coach to be used for instructional basketball, softball, and cheerleading activities. The coach originally indicated his organization was non-profit; however, at some point it became a for-profit venture. Current zoning on that site would allow only a non-profit specialized instruction school for up to three children. The proposal was presented to the Land Use & Parks Committee who referred it to the Planning Commission.

Discussion was held about the proposed activities being in line with activities that were held when the building was used as a school; potential traffic and parking impacts, particularly if tournaments were held with participants from across the region attending; the precedent the City may set by amending regulations to accommodate a site-specific use; potential issues if uses were proposed for other vacant buildings at the Glacier site; advantages and disadvantages of non-profit versus for-profit; potential issues that could arise if regulations were changed and this venture fails; developing conditions to limit the number of participants to resolve traffic and parking concerns.

Jack Dodge explained that Conditional Use Permit applications go before the Hearing Examiner who would require mitigation of all impacts. This hearing would also trigger notification of all residents within 1000' of the facility.

A public hearing will be scheduled before the Planning Commission on this issue in the near future.

Staff agreed to meet with the applicant regarding the extent of his proposed activities.

Ray Overholt expressed concern about the hours of operation of this facility, and how late at night the facility would operate. Of particular concern is the potential for participants congregating outside. He recommended the City be very cautious.

The Planning Commission requested additional information on the proposed instructional program.

Lot Size

- Section 15.13.010 Standards Chart

Regarding Urban Low Density zones, A new footnote number twenty would state, (12) Lots may be less than the required minimum lot size, subject to the criteria in 15.13.020E. Further, minimum lot width would be reduced from 60' to 50'.

- 15.13.020 D

Lot area shall be the total horizontal land area contained within the boundaries of a lot, calculated pursuant to SMC 15.10.370 and 15.13.020E, but all subdivisions and short plats shall maintain required front, side and rear setbacks from any access easements. However, any short plat of only two lots shall not be required to meet the side yard setbacks from approved access easements.

- 15.13.020 E

In determining the lot area of new lots in short plats proposed under Title 14, the area of the original lot area, required to be dedicated for public right-of-way, may be used in the calculation of the number of lots that may be segregated from the original lot.

- 15.14.020 Authority and Application

All new developments on vacant land requiring building permits or change of use permit; and

Option A: When the gross floor area (gfa) of a building/complex expands beyond forty percent (40%) of the total existing gfa, the current landscape standards shall be applicable and integrated into the redevelopment.

Option B: When the gross floor area (gfa) of a building/complex expands beyond twenty percent (20%) the total existing gfa, the current landscape standards shall be applicable and integrated into the redevelopment. Within the Neighborhood Business zone, the provisions of this chapter shall apply when the complex expands beyond forty percent (40%) of the total existing gfa.

Upon the change in use of any property to a public/private parking lot, landscape standards would apply.

Signs

- 15.16.020 Definitions

The elevation or level of the street (or parking lot) closest to the sign to which reference is made. In cases where the property on which the sign is located is lower than the immediately adjacent street level, the ground level shall be considered the street level to facilitate visibility of signage. In no case shall a sign be higher than 25 feet from the lowest grade of the property adjacent to the street level where the sign is proposed.

- 15.30.160C

In all new developments, short plats, and formal subdivisions, all storm drains shall be stenciled "Dump No Waste, Drains to Stream" prior to the occupancy of any structures within the new development, or prior to the occupancy of any new residence within the short plat or formal subdivision.

Security Fences

- 15.13.080F (F6)

Razor wire, concertina wire, or similar security wire is prohibited on fences with the residential zones.

- 15.13.080F (F7)

Barbed wire fences shall not be allowed in the residential zones except where barb wire fences are necessary to control horses, equine animals, or livestock as allowed under SMC 15.12.015, 15.13.115, and 15.13.120.

Landscaping

- 15.14.020A Authority and Application

The provisions of this chapter shall apply to:

All new development on vacant land requiring building permits or change of use permit; or

When the gross floor area (gfa) of a building/complex expands beyond twenty percent (20%) of the total existing gfa, the current landscape standards shall be applicable and integrated into the redevelopment; or

Upon the change in use of any property to a public/private parking lot.

A public hearing will be scheduled in the near future.

6. Commission Liaison's Report:

The April 8, 2004, Land Use & Parks Committee meeting agenda included the following items: (1) Discussion about how to apply City development regulations. (2) Discussion about the Lutheran Community Services and LATCH property and related subarea plan and property-specific conditions. (3) Discussion about proposed zoning code amendment regarding landscaping buffer standards for existing businesses. (4) Brief discussion about Comprehensive Plan Update schedule and differences between

Comprehensive Plan Update Assessment Report and the "Preliminary Docket". (5) Discussion about workshop presentation and upcoming schedule regarding proposed wireless communication facilities regulations. (6) Discussion about miscellaneous zoning code amendments.

7. Planning Director's Report:

The joint meeting between the Burien Planning Commission and SeaTac Planning Commission will tentatively be scheduled for May 18 or May 24.

Discussion was held about the Port of Seattle making a presentation before the City Council and a second presentation before the Planning Commission. Steve Butler recommended that rather than attempting to combine the presentations, it would be advisable to continue with the present plan to have two separate presentations.

8. Adjournment:

The meeting was adjourned at 10:00 p.m.